

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAMIE LEONARD,)	
)	
Plaintiff,)	
)	Case No. 4:19-cv-00927-RLW
v.)	
)	
ST. CHARLES COUNTY, ET AL.,)	
)	
Defendants.)	

PLAINTIFF’S MOTION FOR SANCTIONS

COMES NOW plaintiff, Jamie Leonard (hereinafter, “Plaintiff”), by and through his undersigned attorneys, and moves this Court to sanction defendants St. Charles County, Donte Fisher, Katie Garofalo, Lisa Baker, Steven Harris and Theresa Martin (collectively hereinafter, “Defendants”) for their collective and intentional spoliation of relevant evidence pursuant to Fed.R.Civ.Pro. 37(e)(2). As is more fully stated in Plaintiff’s Memorandum in Support of this Motion, which is filed contemporaneously herewith and is incorporated herein by reference, Defendants allowed key video of the events described in Plaintiff’s Complaint to be destroyed despite a timely preservation request by Plaintiff. As a remedy, Plaintiff moves that Defendants pleadings be stricken and that they be held in default. In the alternative, Plaintiff requests that an adverse inference be made against Defendants as a result of the destruction, and that a jury instruction with that adverse inference be read to the jury in the trial of this matter.

WHEREFORE, Plaintiff respectfully requests the Court grant this Motion for Sanctions and hold Defendants in default as a result of their spoliation of relevant evidence. In the alternative, Plaintiff requests that an adverse inference be made against the Defendants as a result of their spoliation and for any further relief that this Court deems just and proper.

Date: August 5, 2020

Respectfully submitted by,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served on August 5, 2020 via the Court's electronic filing system to:

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